THE COMMISSION MUST CO.

Test Vote in the House on the Paramount Railroad Question.

THE MAJORITY FAVOR REPEAL.

An Animated Discussion Between the Friends and Foes of the Measure-Other Doings in Senate and House.

Representatives on Record.

Linconn, Neb., Jan. 28.-(Special to the BEE. |-The friends and enemies of honest ratiroad legislation were brought face to face this morning in the house of representatives. The friends did not score a victory and yet they won, because they indicated the preponderance of their numerical str ugth. the railway commission law is not repealed by the present legislature it will be because the trickery of Agee, the double-faced scheming of Whitmore, and the parliamentary sharp practice of the railrogue contingent in the house will more than match the desires of more than sixty out of one hundred representatives who believe that the railroad commission is a fraud, the law creating and authorizing it a corporation law, and who will vote heartily for its abolishment. The animated discussion, which occupied nearly all of the morning session, was preluded by a demand from Mr. Horst that some action should be taken on the majority report of the committee on railroads. The report was submitted yesterday. It recommends the passage of the bill to repeal the law creating the railway commission. When it was submitted yesterday Mr. Agee stated that there would be a minority report and asked until this morning to prepare it. Upon motion of Mr. Whitmore the request was granted. This morning, when under the regular order of business, the reports of standing committees were called for a large number were sent to the speaker's desk and read by the clerk. But no report from the minority of the ratiroad committee materialized. Fully fifteen bills were thus reported upon and given

teen bills were thus reported upon and given their places on the file.

It was then that Mr. Horst quite Impatively demanded that the report be forthcoming. He said it was evident the delay was for a purpose. It was, probably, to throw the bill over another day. The tactics being pursued by the gentleman from Hamilton county were like those pursued during the senatorial contest. The people had decided the question about the railroad commission. They never wanted the law, and now they did not never wanted the law, and now they did not want the commission. "I am in favor of redeeming our statute books from this disgrace which has been a blot upon them for two years," said Mr. Horst. Even after this peremptory call there was no response from Agec's desk, although it

no response from Agec's desk, although it was evident that the minority report was in readiness for presentation. In the meantime five more bills were reported upon, and it became evident that Mr. Horst had "called the turn." The sole object of the delay in the report was to place the bill, which was introduced on the first day of the session, as far down on the calendar as possible. The feeling among the friends of the bill was becoming intense. becoming intense.

Agec, fearing that he had stretched the string as far as he could, sent up his report. It proved to be in substance what the BEE It proved to be in substance what the BEE telegram of this morning foreshadowed. It recited that railway coumissions existed in Iorty-nine states and territories; that they furnished the only practical method of adjusting disputes between railroads and the public; that although the present law falls short of what is required, it is better than no law, and should be improved, not repealed; that out of sixty cases considered by the railroad commission during two years, forty-nine had been decided in favor of the complaining parties; that no court could show a like record; that if the law is to be repealed it should be by passage of a better law.

After the report had been read Mr. Smyth presented a resolution that the house resolve itself into committee of the whole for consideration of the majority and minority re-

Mr. Agee opposed the resolution, and Mr Caldwell contended that it was improper, such action requiring suspension of the rules. The speaker heid that, in substance, Mr. Smyth's resolution was a motion to suspend the rules and would be entertained, but that it would require a two-thirds vote to adopt it.
Then Mr. Whitmore showed his fine Italian hand. He said that, "While I have no dis-

hand. He said that, "While I have no disposition, and believe no member of the committee has, to defer action upon these reports, yet I am in favor of letting business take its natural course." He advised placing the two reports upon the general file and allowing them to come up when they can.

Mr. Agee moved as an amendment to Mr. Smyth's motion that the bill be placed on the general file, but was declared out of order. Then he howled. He declared it dangerous to now consider the reports. There were other bills that ought to be considered relative to this question. If the law, as it now stands, is a bad one, or inoperative, amend it. But the house had no right to relegate to

it. But the house had no right to relegate to the waste basket all of the bills which had been introduced with the intent and for the purpose of giving the people of Nebraska a

Agee's pro bono publico declamation called forth Mr. Miller, who said that he would like to be able to give that gentleman credit for good faith. But when any individual who had lived in Nebraska for two years and had to reed upon his attention the fact that the railway commission law was a deed letter. rallway commission law was a dead letter and a fraud, and had cost the state \$22,000 without returning any equivalent whatever— that individual was either dull of comprehension or had his eyes blinded by bribery. The rallway commission law was an outrare on the people, and the sooner it was wiped from the statute books the better would be the standing of the legislature in the eyes of

their constituents.

Mr. Caldwell felt the string pull and he Mr. Caldwell felt the string pull and he orated: Why the legislature should precipitate here and now action upon this question he could not understand. It seemed to him to be undue haste. Repeal this commission law and the house would strike from the calendar every bill which had been introduced to amend it. He was in favor of clothing the commission with more power. He didn't believe the law was a dead letter. It had been the opening wedge which had opened the eyes of the people to the only method of preventing railway extortion.

the eyes of the people to the only method of preventing railway extortion.

Mr. Horst pointedly said that the argument by Mr. Caidwell was the strongest argument for immediate repeal of the law. Every amendatory bill would of necessity partake of the flavor of the original law, which was a stench in the nostrils of the people. The railway commissioners did not have the respect of the people and did not deserve respect. It had been the experience of the people all over the state that the commissioners were nonentities. In Polk county a passenger depot burned down. The railroad company erected in its stead a structure which wasn't fit for chickens to roost in. They had been appealed to to build a decent structure. All they were waiting for was for the citizens of that county to appeal to the railway commission, so that the commission might instruct them to put up a better depot, and then the railroad admirers of the commission bas done for you!" If there was no railway commission there would have been a depot of respectable character at that point long ago.

Mr. Reiper, of Pierce county, coincided

point long ago.

Mr. Keiper, of Pierce county, coincided heartily with the gentleman from Polk, Mr. Horst. The people have voted against the commission, and of representatives ought—were in duty and to—voice their sentiments, dr. Agee again insisted that the house should not refuse to consider the bills

should not refuse to consider the bills which had been introduced for the purpose of improving the commission law.

Mr. Smyth said: "It is true that there are many important bills to be considered. But there are none so important as this one. There are none upon which we are as well prepared to act. The question now is not what are the merits or demerits of the railway commission law, but whether we shall go line committee of the whole to consider It. It is true that if the majority report of it. It is true that if the majority report of the committee be adopted, that would carry

with it all of the proposed amendments to the present law. That is the very reason why the report should be adopted. The valid ob-jection to the railway commission is that it is imposed of men not elected by the people and the people are not in sympathy with them nor they with the people. Let us consider this matter at once. We are prepared to vote upon it now. If the bill repealing the commission law should pass—and it ought to—that will not prevent the introduction of such legisla-

law should pass—and it ought to—that will not prevent the introduction of such legislation as the gentlemen are now endeavoring to foist upon us as amendments to the law."

Speaker Harlan called Mr. Jeary to the chair and took the floor. He said: "We all agree that this question is paramount to all others. It is of the first magnitude with the people of the state. We hear from every point and on every hand the voice of the people complaining of the iron beel of the corporations. There is no dodging the question that the people of Nebraska are soffering at the hands of the corporations of this state. Are we, then, going to iry to procrastinate such legislation for their rolled as it may be in our power to give? The gentleman has apparently burposely deferred making his minority report. In the first instance I should have voted to place the reports on the general file. If the gentleman had made his report vesterday, as he might, I should have so voted. But he asked one day's time; it was courteously given him; and now to-day he holds back his report until the list of bills which, on the general file will take precedence to this most important one, has been increased by twelve to fifteen more. This railway commission law was conveived in the mind of a corporation attorney. It was brought forth by corporation lobbyists. These lobbyists were all here when the law was introduced demanding that it go upon the statute books. Not one section of it from beginning to end is effective. I would be in favor of a railway commission law that would be good, but there is not one section of this law which is good for anything. I say, let us repeal it! Then, it these gentlemen who are now seeking to prevent its repeal by delay, desire to see a commission law enacted, let them send up their bills. We have only a few more days. Procrastination will cause the matter to go over for two years more. I am in favor of immediate consideration of this bill."

While an overlien is only equicative of

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While an opinion is only conjectural, of course, it may be stated that it appeared that had it not been for an inopportune interruption a vote might have been then taken and two-thirds secured in favor of Mr. Smyth's resolution—so marked had been the impression created by Mr. Harian's foreible logic. But the reading of the governor's message distracted the attention of some of the members who were undecided as to their position on the question, and when it was concluded Mr. Fuller joined the opposition in a long speech. In the course of his remarks he said the proposition to repeal the law was like the atposition to repeal the law was like the at-tempt on the part of unsuccessful hunters who had only eaught a rabbit and hanged it

tempt on the part of unsuccessful hunters who had only caught a rabbit and hanged it alive up by a string, while they shot at it. The first shot cut the string and the rabbit escaped. The gentleman who wanted to repeal the law would cut the string only and go home without any game at all.

Mr. Fingle said that if a representative had a duty on earth, it was to follow out and obey the mandate of his constituents. The gentleman who had just spoken (Mr. Fuller) had not presented a proper comparison. "The railway commission law is not a live rabbit, it's a dead and rotten rabbit and should be dragged away and buried. (Applause.) He proceeded: "Let us do something fair for once. It has been the effort of the parliamentarians who love the railway commission so much to befog their less acute colleagues. They have sought delay of the bill in order that it may not be fairly discussed. The law ought to be repealed at once. There is a law on the statute books which, if it could be enforced, is good. It is the Doane law. This legislature should see to it that the people of the state can get their rights in the courts of the counties. We all know that the railroads are robbing the people every day. Repeal this iniquitous commission law, provide for enforcement of the Doane law and give the people a chance."

Messrs. Raymond of Lancaster and Peters of Boone opposed what they were pleased to call "hasty action." Mr. Cannon of Custer put himself on record as in fayor of immediate repeal of the law. Mr. Slater, although expressing himself dissabistied with the present commission law, said he was unable to vote on the question now.

Mr. Watson said that the very fact that so many bills were in as amendments to the commission law proved that the law must be

many bills were in as amendments to the commission law proved that the law must be seriously defective. Let us wipe it out.

After some further discussion the vote was taken by ayes and nays. During this vote Mr. Whitmore demonstrated his remarkable ability as a trimmer. When his name able ability as a trimmer. When his name was called, and it was evident that the reso was called, and it was evident that the reso-lution was already lost, more than a third having already voted nay, he made a very pretty little speech in favor of the resolution, and urged all members to vote for it as he did. The vote was 55 ayes to 43 nays. When the bill comes up for final passage it is be-lieved it will readily sixty votes. lieved it will receive sixty votes.

Proceedings of the Senate. LINCOLN, Neb., Jan. 28.—| Special Telegram to the BEE.]—More petitions for a law granting municipal suffrage to women than have been introduced any day this session were read to-day in the senate. From a friend of this movement I learn that only a small portion of such petitions have been received. Senator Keckley of York presented a petition from 200 voters of that county praying for the passage of his bill to prevent combinations and pools among grain dealers, Your reporter saw Mr. Keckley with refer ence to the prospects for the passage of this important measure. He said: "There is a great deal of stiff opposition to the bill by the lobbyists. They are fairly harrassing senators who have not taken a firm stand in favor of the hill. They have asked consent to present arguments and papers to prove that no such state of affairs exists as the bill seeks to redress. I told them that the committee who have reported favorably on the measure were in possession of an abundance of evidence to prove the great abuses of this grain pool, and that we did not care to listen to them and that we did not care to listen to them, I consider it a dangerous state of affairs to permit a ring in Omaha to fix the price of grain from day to day as it sees fit without regard to the market price abroad. Despite the efforts of the lobby, I feel confident that the senate will pass the bill as recommended by the committee.

A communication was read from the atter ney general with reference to the old vouchers left in his hands by the legislature of ers left in his hands by the legislature of 1885 for certain expenses and repairs at the penitentiary. It will be remembered that certain irregularities on the part of Warden Nobes were hinted at two years ago, and the matter was referred to the attorney general for examination. His review of the case tends to exonerate Nobes of dishonesty in the premises, but holds that there was a tinge of carelessness in the transaction.

of carclessness in the transaction.

The hour for calling up the special order having passed, Mr. Schminke demanded that the senate proceed to consider the Holmes-Butler contest case, and he added:
"I mean business now." Mr. Majors moved the special order be postponed till 3 o'clock, saying he had important legislation to propose. His motion was lost by an aye and nay vote of 15 to 15.

Mr. Schwinke, then, moved that Gov. Mr. Schminke then moved that Gov-ernor Butler be given haif an hour to open his case, Mr. Holmes one hour to present his argument, and Butler to close with half

an hour.

Mr. Casper seconded this motion. The chair stated that under the standing rule of chair stated that under the standing rule of senate, No. 18, he had no option in the matter of admitting outsiders to the floor of the senate. The rule says that no motion shall be deemed in order to admit any persons whatsoever within the doors of the senate chamber to present any petition, memorial or address, or to hear any such read.

Mr. Schminke held that both Butler and Holmes were practically members of the senate, only one holds a certificate and the other don't.

The chair suggested that an appeal might

The chair suggested that an appeal might be taken from his decision and rule 1s sus-pended by a two-thirds vote.

Mr. Melklejohn said that such admis-sion would establish a troublesome precedent. The national house of representatives has in all its history admitted but three outsiders and that was done by unanimous consent and not by

Mr. Casper moved an appeal which Mr. Casper moved an appear which was taken and the chair sustained by a vote of twenty-four to eight.

Mr. Sterling moved that rule eighteen be suspended and that the motion of Mr. Schminke (to give consent to a hearing) be adopted. He hoped his motion would obtain

for the reason that the same courtesy had been extended to parties in the senate whose been extended to parties in the senate whose interests were less important than those which these gentlemen seek to represent. He noticed that no opposition was made to the admission of parties to the floor of the senate to advocate matters that interested only the parties themselves. As the questions which these gentlemen will present to the senate are of interest to themselves, to the electors of this state and to the senate, it occurred to the speaker that it behooved the senate to extend to them such courtesy as it would be willing to them such courtesy as it would be willing to extend to those whose interests are foreign to the interests of the state.

A two-thirds vote being necessary, the ayes and nays were called for, being 19 and 12 respectively. The motion to suspend the rules was therefore lost.

was therefore lost.

Mr. Casper moved the adoption of the minority report, but before the vote could be taken Mr. Sterling said he wanted to have the statement of the contestant read. While the papers were being sent for Mr. Meiklejohn, chairman of the committee on privileges and elections having the contest case in hand, addressed the senate at some length. The discussion will be resumed at 2 o'clock.

o'clock. When the senate met at 2 o'clock Mr. Vandemark said: "I remember sitting in that baleony four years ago and seeing Holdrege and his birelings occupy this floor in defense of their employers; but when Governor Butler, a ploneer of this state, asks to be heard on this floor, this senate refuses him admission here. I can look back also to other periods of time. I know, under the order of the house of representatives on the expulsion of two members, that body permitted counsel to appear on the floor. I voted in the affirmative to sustain the decision of the chair, and I also voted to let these gentlemen appear on this floor in refer-AFTERNOON SESSION. these gentlemen appear on this floor in reference to this question. Now, I move that we reconsider the vote to exclude counsel, for I

reconsider the vote to exclude counsel, for I pledge you my word and honor I will not vote upon this question as to who is entitled to this seat until I know all about it.'

Mr. Robbins thought the interests of all parties concerned would be subserved and the business before the senate better attended to, by postponing the matter, as there was a large amount of business now before the committees, which should receive attention. He therefore moved that further consideration of the matter of contest be postponed until Monday at 2 o'clock, which was carried.

was carried.
The committee on revenue reported favorably on the passage of senate files 86, 12 and 66, and recommended that senate file 67 be referred to the special committee on township organization.

The committee on finance, ways and means reported favorably on senate file 48, which provides identification of securities for permanent school fund.

The committee on banks and currency reported favorably on senate file 34, to punish persons creating indebtedness of any bank known to be insolvent. This committee also reported favorably on senate hie 83, relating to banks,

The committee on school lands reported

The committee on school lands reported favorably on senate file 54, as amended, for the relief of parties holding contracts for the purchase of leased lands.

Mr. Sterling offered a resolution Instructing the committee on railroads to report back to the senate S. F. 41 as early as 10 o'clock, January 29, 1887. This bill is for the repeal of article 8, chapter 72 compiled statutes, creating the railroad commission.

Mr. Snell objected to consideration of the resolution, insisting that it lay upon the table one day under the rules.

Mr. Sterling called the attention of the senate to standing rule 47, which provides that bills referred to committees must be reported back to the senate within four days after such reference, unless further time is specially granted by the senate. He added: "Now, this bill was referred on the 12th inst., and it occurs to me ample time has elapsed in which the committee could have considered the bill. I deem it unnecessary that these bills should be held in the hands of committees for this unreasonable time. The rule is wholesome and my motion should prevail." The rule is wholesome and my motion should

Mr. Brown said that the committee had three bills of the same character to consider, and wanted a little more time to report. Mr. Sterling—"As the gentleman says, there are other bills of a similar character,

but they are of such a nature that they can be reported back very readily, either favor-ably or adversely; and bills that might be subsequently introduced, it certainly would seem to me, would have no special bearing on the adoption or rejection of those bills which seek the repeal of that part of the law; and the practice of retaining bills in the hands o this committee, especially until nearly the closing days of the session, is one that cer-tainly cannot be commended, and they have had this matter under consideration since the

2th."
Mr. Brown—"It was the 18th."
Mr. Sterling—"Well, the 18th would make
t ten days, which would give six days more than the rule allows the committee in which to report. It is right and proper that this senate should have that bill with the com-

mittee's report."

The question being upon a motion for suspension of the rules and adoption of the resolution of the gentleman from Fillmore (Stering) the ayes and nays were called for and the motion lost by a vote of 18 to 13, Mr. Duras of Saline raised the point that

although the motion to suspend the rules and and adopt the resolution had been lost, rule 47 says very clearly that every bill shall be reported back to the senate by the committee within four days, and he believed that im-mediate action should be taken by the com-mittee and the bill reported back to the

Mr. Robbins moved that the committee be given until Tuesday morning to report on the

bill, which was carried.

Mr. Snell offered a resolution that the carployes of the senate as enumerated in section 13, chapter 48, compiled statutes, be allowed the sum of \$3 per day, and under suspension of the rules the resolution was adopted.

Mr. Brown offered a resolution that the manuals be furnished the senate, which was

Senate file No. 1, to prohibit non-resident aliens from holding property, was passed. Senate file No. 2, to constitute eight hours a day's labor, was recommitted. Senate file No. 9, relating to divorce and

alimony, was passed, Senate file No. 13, relating to notaries public, was passed. H. R. No. 81, appropriating 845,000 to meet

the incidental expenses of the session, passed the senate to-day, H. R. No. 81, appropriating \$50,000 to meet the salaries of members, officers and em-ployes of this session, passed the senate to-day.

A message was received from the governor, transmitting a letter from Colonel August Cotts, of Fort Niobrara, calling attention to the fact that the state had never ceded federal authority to that fort, and asking legistion is

By Committee on Township Organization

Providing limit of fees for county officers.

By Same—To govern assessors and assessments

ments.

By Same—Fixing time of meetings of boards of supervisors.

By Same—Providing that county and precinct though shall be approved by county

By Wright—Memorial and joint resolution to congress requesting that the money collected by congressional act of August 5, 1861, be returned to state treasurers of every state from which such collections were made. This was a direct tax of \$20,000,000 apportant to the state treasurers and after postportant of the state o this was a direct tax of \$25,000,000 apportioned among the states, and after postponing its enforcement many years, the southern states being in arrears, it is held that the money should be returned to the people of the states from whence it came, By Meiklejohn—To make all railroads pub-

ic highways. By Lininger-Requiring railroads to run excursion trains once a week.

By Brown—To redistrict the state into sen-atorial districts.

By Corby—To make chattel mortgages to

By Colby—To make chattel mortgages to secure usurers' contracts absolutely void.

By Colby—To provide for publication of names of all solders and marines.

By Snell—To establish a normal school at rairbury, Neb.

By Snell—To tax sleeping and dining cars.

By Casper—To authorize counties and cities to issue bonds for internal improvements, amount to be determined by the county board.

By Heartwell—In relation to the ersection

By Heartwell—In relation to the erection f soldiers' monuments or memorial halls. By Holmes—Fixing penalty for seduction. By Heartwell—Providing for issue of bonds

for internal improvements not exceeding it per cent of all taxable property. By Holmes—To limit school tax.

By Kent—To request congress to pass Hatch's experimental station bill.
By Conger—To provide inspectors for oils and minerals to be offered for sale.
A number of bills were put upon second

reading. Doings in the House

Lincoln, Neb. Jan. 28,- Special Telegram to the Bre. - Nearly the whole of the morning session of the house was occupied in the discussion of a motion by Mr. Smyth that the report of the majority of the committee on railroads and the report of the minority of the same committee on the bill to repeal the law creating the railroad commission be considered in committee of the whole at once. Mr. Agee and others favoring the minority report opposed the motion, moving as a substitute that the reports be placed on the general file and take the usual course. Mr. Agee's minority report had been delayed until it was demanded, indignantly, alby Mr. Horst and others. most, It was evidently the intention of the opponents of the bill to delay consideration of the majority report favoring the passage of the bill to repeal the

law, while the minority report opposes it on a spectous ground that the law can be made, by amendatory enactments, more effective. It required a two-thirds vote to carry Mr. Smyth's motion, and in reality the vote on the motion was desired as a test of the feeling of the house on the bill to repeal. During the discussion Messrs, Smyth, Miller, Harlan, Horst and Tingle made ringing speeches favoring consideration of the reports at once. Mr. Harlan uncovered the object of Mr. Agee and others who opposed consideration of the reports by charging them with holding back minority reports until lifteen or twenty other bills had been reported on, so that consideration of this "paramount question," as Mr. Harlan called it, should be delayed, if possible, until late in the session, and possibly until too late to take action at all, as in the regular order of business all these bills and a number preceding them should be first considered in the committee of the whole. On call of the ayes and nays, Mr. Smyth's motion failed to receive the requisite two-thirds a specious ground that the law can be made, On call of the aves and navs, Mr. Smyth's mo

first considered in the committee of the whole. On call of the ayes and mays, Mr. Smyth's motion failed to receive the requisite two-thirds, but the vote indicated that when the reports do come up in committee of the whole the majority report will be adopted. The following was the vote:

Ayes—Alexander, Andres, Bailey, Ballard, Bentley, Bicks, Cameron, Cannon, Craig, Dempster, Eisley, Ellis, Ewing, Fuchs, Gamble, Gillmore, Harrison, Haydon, Heimrod, Horst, Jeary, Keiber, King, Latta, Lord, Matthieson, McConaughy, McGrew, Miller, Newton, Nichol, Overton, Rief, Russell, Satehel, Schwab, Simms, Simanek, Smyth, Sullivan, Tingle, Turner, Tyson, Underhill, Veach, Watson, Wetherald, White, Whitmore, Wilhelmsen, Wilson, Wolenweber, Wright, Young and Harlan—55.

NAYS—Abrahamson, Agee, Alken, Andrews, Babcock, Baird, Bowman, Brown, Caldwell, Cole, Cope, Crane, Dickinson, Diller, Fenton, Fox, Frantz, Fuller, Gafford, Garvey, Green, Kenney, Knox, Lesveld, Marshall, McCann, McKenn, Minnix, Newcomer, Norris, Pemberton, Peters, Randall, Raymond, Shamp, Slater, Sweet, Thornton, Tracy, Truesdell, Wardlaw, Wilsey, Yutzy—43.

Of these yoting nay, Mr. Slater and one or

Of these voting may, Mr. Slater and one or Of these voting nay, Mr. Slater and one or two others will probably vote to approve the majority report of the committee, and Messrs. Barrett and Eggleston, who did not vote today, will also support it. The house will therefore in all likelihood repeal the railway commission law, which has been such a stench in the nostrils of the people. After the defeat of Mr. Smyth's motion, Mr. Agee's motion to place the reports on the general file prevailed without opposition.

During the forenson Mr. Underhill presented a petition for the passage of the bill for the protection of women and girls from felonious assault. It was accompanied by petitions from Merri & Franklin, Saunders, Adams, Nemaha, Pawnee, Lancaster, Knox, Madison, Nuckolls and Nance counties. The bill with petitions was re-referred to the committee on judiciary.

mittee on judiciary.
The following committee reports were Recommending the passage of the Fuller railroad bill.

Recommending the passage of the bill r trimming and cultivating hedge along highways. Recommending the adoption of the resolu-tion regarding a veterinary school, and also the resolution regarding protection of swine from contagious diseases.
Recommending the passage of Caldwell's jury bill; the passage of the bill regulating

township organizations; the adoption of the joint memorial and resolution regarding the Knevals land bill; the passage of the bil obliging railway companies to heat their obliging failway companies to heat their cars by steam; the passage of the bill prohibiting games of chance in saloons, except billiards; the passage of the bill prohibiting cruelty to animals; the passage of the bill paying additional clerks of the last census; the passage of the bill prohibiting the employment of children under twelve years of age more than four months in the year; the passage of the bill regulating the hours of labor, as amended; the passage of the bill to further regulate methods of taxation.

Recommending that the bill providing for of lection of taxes by distress, do not pass. The report was adopted. A message was received from Governor

Thayer urging the legislature to cede jurisdiction of the Niobrara reservation to the Upited States. The message was referred to the committee on judiciary.

The house then took a recess until 2 p. m.

AFTERNOON SESSION.
In the afternoon further reports from committees were received as follows:

Recommending indefinite postponement of the bill providing for supervisors of elec-tions in cities of the second class and in tions in cities of the second class and in towns of counties under township organiz-ation. The report was adopted. Recommending the passage of the bills: To fix duration of terms of supervisors in counties under township organization; to assess cost of bridges over 500 feet long on the whole county amending the law regular.

the whole county; amending the law regulat-ing county officers; to protect primary elec-tions and conventions of political parties by applying election laws thereto; to create a bureau of labor and industrial statistics, as Recommending indefinite postponement of McConaughy's bill, relating to schools.

Adopted.

By a resolution, which was adopted, the committee on judiciary were requested to prepare and introduce a bili granting a discount to parties paying taxes on the first day they become due,

By a resolution, also, the committee on asylums and insane hospitals were requested to visit those institutions.

BILLS INTRODUCED. The following new bills were introduced:
By Bentley—That any person having an animal injured by an unlawful fence shall re-

cover damages together with cost of suit and a reasonable attorney fee.

By McKenna (upon a petition of the by alcaema (upon a petition of the board of county commissioners of Sarby county, Neb.)—Asking that section 7 of chap-ter 36 of compiled statutes be so amended that each road district shall elect its own road supervisor and that each division be supplied with separate ballot boxes. By Russell—To amend section 19 of chap-ter 28 entitled "fees" and to repeal said sec-tion.

By Pemberton-To establish a normal school at Fairbury, Jefferson county, Nebraska, and to provide for the building and maintenance of the same.

By Pemberton—For the relief of 11. E. Dawson

By Diller-For the relief of George M. Price. ByCrane-To establish three additional state normal schools in Nebraska, one in North Loup Valley county, and making appropria-tions therefore, and two others as herein after provided for. By Sullivan-To provide for salary of clerks of the district court, their deputies and

cierks of the district court, their deputies and assistants.

By Cope—To amend section 226 of chapter 21 of the criminal code of Nebraska.

By Andrews—To amend section I of an act to locate the Nebraska state retorm school, also to amend chapter 75 of the compiled states of Nebraska entitled "Reform School." By Schamp-To prevent the growth and

spread of noxious weeds.

By Caldwell—Making railroad companies liable for damages done to their employes.

By Underfull—To amend section 106 of chapter 77 of the compiled statutes. By Yutzy-To prevent the fraudulent con-tracting of debts. Also-To abolish all exemptions of prop-

erty from sale on execution for the purchase

money,

By Kenney—To amend section 24, subdivision 14 of chapter 74 of the compiled statutes of Nebraska entitled "Schools,"

By Craig—To establish a state normal school at or near the city or town of Craig, Burt county, state of Nebraska.

By Smyth—To amend sections 4 and 5 of chapter 77 of the compiled statutes of 1881, entitled, "Revenue," [The substance of this bill was given yesterday.]

By Smyth—To declare illegal and to prohibit railroad companies organized and doing business within this state from entering into pool contracts, or contracts to charge an agreed rate for the carriage of goods or passengers carried within this state; and to

passengers carried within this state; and to provide for the recovery by any person of any moneys paid to any railroad company for the carriage of goods or passengers within this state while such company is violating the provisions of this act.

Also—To regulate charge for transmitting telegraph dispatches and providing a penalty thereof and providing for the liability of telegraph companies.

graph companies.
Also-Providing for the assessment of real

and chattel property.

Also-Providing for the adoption of stand-

By Fox.—To provide that a marriedwoman shall have exempt from attachment, execu-tion and forced sale the same personal prop-erty and real estate as a homestead allowed under the law to a married man.

Also—To amend section 521 of the code of civil procedure of the state of Nebraska,

and to repeal said section 52).

By Bailey—To amend section 46, chapter 26, compiled statutes of 1885, entitled "Elec-By Wardlaw—To authorize the purchase of land and to appropriate therefore for the use of the institution for the feeble minded at

of the institution for the feeble minded at Beatrice.
By Feuton—To amend section 126, section 130 and section 134 of the compiled statutes of Nebraska, chapter 77, entitled "Revenue."
By Craig—To amend sections 14 and 15 of chapter 32 of the compiled statutes of Nebraska, entitled "Frands."
By Whitmore—To establish the Nebraska Darymen's association and to provide for the dissemination of knowledge relating to dairy matters throughout the state.

dissemination of knowledge relating to dairy matters throughout the state.

By Treacy—To amend subdivision 1 and 2 of section 18, article 2, chapter 2 of the compiled statutes of 1885.

By Smyth—To amend section 4 of chapter 77, entitled "Revenue," of the compiled statutes of Nebraska.

Also—To amend section 1 of chapter 54, entitled "Mechanics' and Laborers' Liens," of the compiled statutes of Nebraska.

Also—To amend section 5 of chapter 44 entitled "Interest" of the compiled statutes of Nebraska.

Nebraka.

By Raymond—To provide for labor performed in the erection, repairing, or removal of any house, mill, manufactory or appurte-

nance.
By Bentley—To amend section 4 chapter 79, compiled statutes of Nebraska entitled "New Districts."

By Nichol—To amend section 11, chapter 79 of the compiled statutes of Nebraska to provide pay for surveying. Also—To amend section 46, chapter 48 compiled statutes.

Also—To provide for a geological survey of the state of Nebraska.

IN COMMITTEE OF THE WHOLE. The house went into committee of the whole, Mr. Smyth in the chair, and reported, upon arising, recommendations that the following measures pass: Incorporating the Nebraska division of Sons of Veterans.

Sons of Veterans,
John A. Logan memorial and resolution.
Providing for registers of deeds in counties of certain population. This last bill was amended so that the registers of deeds shall be elected at the next election in counties having more than 18,003 population at the census of 1885 or increasing to a greater conclusion than that figure in subsequent population than that figure in subsequen consuses. The pecular igure, 18,003, was inserted because some counties with 18,002 population in 1885 do not want registers.

The report of the committee was adopted, and the house adjourned until to-morrow a to a support of the committee was adopted, and the house adjourned until to-morrow a to a support of the committee was adopted.

10 a. m.

Several of the bills introduced to-day, are of interest and will be printed in the BEE to-

NEW YORK STOCKS. The Market Fairly Active and Prices In Favor of the Bulls

NEW YORK, Jan. 28.- [Special Telegram to the BEE.]-The stock market was fairly active to-day and the course of prices was in favor of the bulls. The strike among coal handlers and longshoremen was still a bear factor, but its influence on the market appeared to be on the wane, It was reported that several conferences had been held with the strikers and that a settlement might be effected at any moment. As it was conceded that with the strike out of the way stocks would rally sharply, a good mony traders began buying in anticipation of favorable de velopments. From a very weak opening the market quickly rallied and shorts began to cover, causing an advance of 1 per cent throughout the list. There was still some talk that the inter-state commerce bill might receive its death blow at the hands of the president. The big shorts, however, stood steadily on their lines and refused to be frightened by conjectures from the bull standpoint. The close of the Lon-don market shows an improvement of 140034 per cent, and this hoped to brace the market against the selling which followed the carly rally. A noticeable feature in the market was the fact that outsiders were doing very little. It was even claimed that the weakness of the London market recently was in a great measure due to manipulation from this side. A hear feature was an advance of another A bear feature was an advance of another A bear frature was an advance of another ½ per cent in exchange caused by a scarcity of commercial bills. There was not much activity after midday, and prices were held steady. Just before theelose Richmond & West Point was marked up 1½ per cent and the last quotaions were at top prices. Apparently the temper of speculation was leaning more to the bull side than for some time past. The closing prices were about the best of the day. The total sales were about 250,000 shares.

The Alton Road Retaliates. CHICAGO, Jan. 28.—[Special Telegram to the BEE.—It is announced that the Chicago & Alton, which has been getting badly cut out on all classes of Kansas City freight by the St. Paul and Northwestern connection with the Union Pacific Marysville cut-off, has determined, since redress cannot be had through the Southwestern association, to regulate it themselves. The Alton has, it is said, perfected arrangements with the Mis-souri Pacific for taking through business via Kansas City to Omaha and all points in Nebraska, and whatever rates the St. Paul and Northwestern make to Kansas points, the Alton will make to Omaha and Nebraska Alton will make to Omana and Schassa points. This action is certain to break up the Western Traffic association and lead to a serious war on western rates at least until the inter-state commerce bill goes into effect.

Wabash War Tickets.

St. Louis, Jan. 28.—The railway passenger ticket scalpers are selling in this city large numbers of the old issue of Wabash tickets over which there will be a great deal of litigation before it is finally decided whether they are worthless or not. The tickets are those issued when Solon Humphreys was president of the Wabash, and were put out in large blocks during the war on rates inci-dent to the entrance of the Wabash into Chicago and atterwards repudiated. The brokers will ask Judge Gresham to decide whether or not they can now be used.

The Cattle Plague in Illinois.

SPRINGFIELD, Ill., Jan. 28.—The answer of the live stock commission was delivered to the speaker this morning in answer to the resolution passed by the house last week, requesting information as to the condition of pleuro-pneumonia in the state. The answer affirms that 2,000 more cattle that have been exposed to the disease will be quarantined in addition to 2,500 already quarantined. This will be followed by an appraisement and the diseased and exposed cattle will be slaugh tered.

Beattie's Assailant Convicted. NEW YORK, Jan. 28.—The jury in the ca of Louis Bieral, charged with attempted assassination of surveyor of the port, Beattie, found him as charged, to-day, and recommended him to the mercy of the court,

THE GREAT STRIKE,

Business Along New York's Water Front Paralyzed.

New York, Jan. 28.—Business on the river front this morning was almost paralyzed and with the exception of a small amount of freight being moved by green hands on one or two plers, very little has been done on the tocks of the principal steamship companies since the strike of the longshoremen commenced. The strikers are confident they will succeed and gain their demands. The next move will be to get the pilots on ocean

succeed and gain their demands. The next move will be to get the pilots on ocean steamships to come out. The pilots are organized, and should the order go out for them to quit work the strikers hope to stop all trans-Atlantic steamers from sailing in and out of the bort. This, union men claim, will compet the steamship companies to come to terms. At the National line dock, this morning, sixty men picked in from various sources were paid of as they were incompetent.

The Wyoming was being unloaded by nonmorn men, and the sailors of the vessel. The latter were paid thirty cents per hour in addition to their wages as seamen. The green hands were immediately taken in charge by members of the longshoremen's union, and were organized and became part of the strikers' union, The Erin is not more than half loaded. She should have salled yesterday. By Monday the vessel will be ready for sea. The Helvetia, of the same line, lies at the other side of the dock with the built of her carro still aboard. Affairs are just about the same at the Guion line docks. The Old Dominion company have 200 men at work and say they can get all they want.

Judging from the indications to-night 50,000 iongshoremen, coal handlers, etc., will be out on strike to-morrow. The freight handlers who unload cars at the railroad docks sympathize with the strikers and will probably quit work to-morrow. At to-day's meeting of the ocean assembly of longshoremen many non-union men and many freight hands employed at the docks of the Stonington line, Hamburg line, People's Line and Pennsylvania road will probably go out to-morrow. The inon-union men employed at the Ward line docks struck for union rates, The mon-union men employed at the Ward line docks struck for union rates, The men employed in loading the San Marcos also struck for 40 cents per hour for day work and 60 cents for night work. Their demands were granted, temporarily it is understood. The men have joined the ocean association and will probably strike to-morrow. The employes, in bodies, of th

joined the ocean association and will proba-bly strike to-morrow. The employes, in bodies, of three large comparies have applied for admission to the unio. They number nearly 2,000. Delegates ar actively engaged in organizing every branch of labor around the piers and docks of the three cities. In Brooklyn an air of sympathy is rife among the working classes which bids fair to in-clude many branches of industry other than those already affected.

Five unions of longshoremen, which in-

those already affected,

Five unions of lengshoremen, which include all of the nandlers of freight along the East river, held a meeting to-night and agreed to refuse to handle any freight of the Old Diminion line. They will refuse to handle any freight of nny of the boycotted companies. They pledge themselves to support their striking brethren on the North river and lower harbor and also the Knights of Labor in their light against the Old of Labor in their light against the Old Dominion line.

The Unincky Thirteen. CHICAGO, Jan. 28.—The employes of Selz, Sehwab & Co., boot and shoe manufacturers,

went on a strike to-day except thirteen girls. The number out is 225 men, girls and boys. An attempt by the firm some weeks ago to reduce the wages of the girls on certain work led to a successful strike on their part. Dur-ing the trouble the girls began organizing as Knights of Labor and have since succeeded in enrolling all their number except thirteen, who steadfastly declared they would not join. The demand from the knights that the thirteen be discharged was refused by the firm and the strike followed to-day.

hibits stolid indifference, and when asked if he desired to make any statement simply sneered and turned his head away. At the request of Inspector Byrnes, Unger was remanded to police headquarters. Bohle, the murdered man, was about thirty-six years of age, five feet, eight inches high, and weighed 150 pounds. One of the fingers on one hand, it is not known which, was stiff. He was born in one of the eastern provinces of Prus-sia. He came to this country some years ago and traveled to California and Oregon, where and traveled to California and Oregon, where he engaged in business at the mouth of the Columbia river. Last July he came east. He then had a draft for \$1,200 on some Oregon bank, which he exchanged for a German draft, as he was going across the ocean to settle up some property in Germany. He was away two months and returned in the fall this time with a Hamburg draft for \$1,200, which he exchanged and went west again. He went to a place called Papillion, Neb., but returned almost immediately and deposited \$1,100 in the sayings bank here. Unger. ited \$1,100 in the savings bank here. Unger, the prisoner, strictly it wists that Bohle went to Chicago last week. replied to an ad-vertisement inserted by a nger for a partner, but could not agree on terms. Unger induced Bohie to come and rive with him. It is thought that all the time Unger was maturing the scheme to get rid of Bohle and secure his money, Arrangements were made tonight to have the plumbing on the Ridge street house examined. A women to the street house examined. A woman told the police that on Thursday or Friday night she met Unger carrying a pail of something from his room to the sink in the hallway, and that when he met her he turned his head. This was something he had never done before. It is thought possible that the pail may have contained the mutilated head of the mur-

THE MINERS WIN. Hostage Seligman Redeemed by His

Rich Relatives, Helena, Mont., Jan. 28.—Albert J. Seligman, who was yesterday held as hostage for the payment of salaries due the employes at the mines twenty-five miles from here, telegraphed immediately to his father, the New York banker, asking for assistance, and saying that if the company did not pay the men, he would not answer for the consequences for the protection of the property or himself. The amount involved is \$75,000. J. & W. Sligman & Co., owning but a portion of the company's stock, immediately telegraphed money to Helena for the payment of the men money to Helena for the payment of the men and the release of the company's property and Seligman. About midnight last night Mr. Seligman was released upon a messenger being sent to the men by Governor Hausen, who guaranteed the money for Seligman and the company. The men treated the prisoner and all parties with the utmost prisoner and all parties with the atmost respect and courtesy, and protected the property of the company. No disposition was shown to injure any one. Seligman was paroled and allowed the freedom of the camp on his word of honor that he would not leave, and that payment would be made to the men. etc.

to the men, etc. Want the Road Sold. CHICAGO, Jan. 28 .- A bill to set aside the foreclosure sale of the Plymouth, Kankakee & Pacific railroad, which line has long been known as a part of the Indiana, Illinois & Iowa road, was filed here to-day in the federal circuit court by Robert B. Ennis and others. They ask that the sale be declared void and that the property, which is worth at least \$850,000, be resold, this time for the

enent of the bondholders. Gould Buys Another Road. LITTLE ROCK, Ark., Jan. 28.—The sale of the Little Rock & Mississippi river railroad

was made to-day to Jay Gould who paid \$1,800,000 for it. The sale previously made had been set aside for non-compliance with

The Contest in Indiana. Indianapolis, Jan 28,-in the joint ses sion of the general session, to-day, another ballot for senator was taken, with no change in the result

THE REJECTION OF MATTHEWS

General Confusion in the District Over His Non-Confirmation By the Senate.

SPARKS AND THE OFFICEHOLDER

Maryland Democrats Greatly Mystle fied as to the President's Latest Appointment-National Capital Happenings.

The Muddle About Matthews. WASHINGTON, Jan. 28 .- (Special Telegram)

to the Ban, |-There is general confusion in this District over the rejection by the senateof Matthews, the colored man, to be recorder of deeds. Not only has the senate rejected this appointment twice, but it is investigating to see if his appointment the second time is not unconstitutional, as the constitution provides that appointments shall be made "by and with the advice and consent of the senate." Since Matthews was first rejected it is claimed by many that a vacancy in the office has existed, and that there is no legally chosen officer in it now. Members of the bar are considerably worked up over it. It is held that such instruments as are now placed on record are of no legal effect, and that it will be necessary to have congress pass an enabling act to legalize them. On the other hand, it is claimed that it is the duty of the recorder to continue on duty till his successor is appointed, in order that the business interests of the District should be protected, and that should there be no one appointed and confirmed he can legally hold office until after the adjournment of the senate. While much can be said in favor of Matthews continuing to sign his name as recorder of deeds, some are doubtful on the subject, and have adopted a rute only to place on record such papers as it is imperative to file for the protection of property interests. When a reporter broached the subject to Matthews, who was in charge of his office and work going on as usual this morning, he declined to say anything about it, saying he did not want to be interviewed.

REPUBLICANS TO THE RESCUE. The republican senate has come up to the help of the democratic officeholders against the reformers in their own party. In the last sundry civil appropriation bill there was an item of \$500,000 to pay the registers and receivers of land offices salaries of \$3,000 each in lieu of the fees they had been getting. An additional item appropriated \$120,000 to pay the incidental expenses of such land offices. That great expounder of the constitution and statutes, William Andrew Jackson Sparks, rendered a decision to the effect that officerents, fuel, light, clerk hire and so on were not contingent expenses, but must be paid for by the register or receiver out of his salary of \$3,000. In this way some of the officials who had been getting from \$4,000 to \$6,000 a year out of their offices were cut down to \$1,200 or \$1,500, and the more business the less they got, for all the clerk hire nelp of the democratic officeholders against down to \$1,200 or \$1,500, and the more business the less they got, for all the clerk hire came out of their pockets. In order to circumvent Sparks the republican appropriation committee, having been appealed to by the officials who were unable to do anything with Randall and Holman, have inserted into the bill for next year a proviso that the \$3,000 salary shall be exclusive of an allowance for office rent, etc., and the item for expenses is made more definite.

The WASHINGTON MONUMENT ELEVATOR.

THE WASHINGTON MONUMENT ELEVATOR. who steadfastly declared they would not join. The demand from the knights that the thirteen be discharged was refused by the firm and the strike followed to-day.

THAT TRUNK MURDER.

The Victim Lately a Resident of Papillion, Neb.

New York, Jan. 28.—Unger, arrested on suspicion of being the perpetrator of the trunk murder, was arraigned at the tombs police court charged with murder. He exhibits stolid indifference, and when asked if for the elevator, but the senate has filled the for the elevator, but the senate has filled the gaps and the machine will have funds after the 1st of next July. One loses his confidence in the statesmanship of the country when he has to walk up 500 stairs to see the view from the top of the monument.

MYSTIFIED MARYLANDERS.

The president to-day sent to the senate single and alone the name of Edward W. Mealy, of Hagerstown, Md., to be consul at Munich, and people are wondering what it all means. It is not customary to send a single

means. It is not customary to send a single nomination to the senate. The appoint-ments are usually allowed to accumulate till there are a dozen or so, but this one comes in there are a dozen or so, but this one comes in all alone and the mystery is therefore emphasized. Edward W. Mealy is the leader of the reform democrats of Maryland. He is the enemy of Senator Gorman, who represents the machine of the party. Mealy has never sought office. He is a man of great wealth and social prominence in the Maryland aristocracy. He has spent thousands of dollars in trying to overthrow the organization of which Senator Gorman and Euzene Higgins are the head. He has done tion of which senator Gorman and Eurene Higgins are the head. He has done this from practical duty and has always said he would not accept office. Now he is ap-pointed to a consulate of the second class, one of the most agreeable ones as a place of residence and one which is usually sought by people who have children to edu-cate. It cannot be learned whether he will accept or not. It cannot be learned whether the appointment is made at the request of Gorman or is a slap in his tace. Mealy is his surrender a principle for an office. It is still less probable that he would leave the contest upon which he entered two years ago because he met with a temporary defeat at the last election. The reform democrate showed more strongly than any one suspected they had. If Mealy wanted the office the president gave it to him as a compliment regardless of Gorman, but the Marylanders will be excited till they find out why.

MILITARY MOVEMENTS By direction of the president First Lieutenant L. H. Strober, First infantry, has been detailed as military professor at the Virginia Agricultural and Mechanical college at Blacksburg, Va., vice First Lieutenant J. C. Gresham, Seventeenth cavairy, relieved at his own request.

Gresham, Seventeenth cavairy, relieved at his own request.

Captain James Rockwell, jr., ordnance department, is ordered from Rock Island arsenal to Jackson and Pass Christian, Mississippi, and to Fort Jackson and St. Phillips, Louisiana, on public business.

Captain C. F. Palfrey, ordnance department, is ordered from Oswego, N. Y., to Forts Porter and Niagara on public business.

SENATOR FAIR'S SON SHOOTS.

A lively shooting affair occurred to-nigh t about 10 o'clock in the bar room of Welcker's. Senator Fair's son, James G. Fair, jr., was in the cafe when ex-Congressman Page, of California, came in and the young man asked him to drink. Page refused and young Fair him to drink. Page refused and young Fair drew a pistol and fired it. Page, luckily, hit the pistol and the ball struck the ceiling. Page took the pistol away from the senator's son and the latter was taken by a couple of servants across the street to his hotel and put to bed.

PENSIONS GRANTED.

Pensions were ranted to day to Nebras-kans as follows: John S. Robinson, Cedar Rapids; George D. Borden, Aima; Augustus Holmgrain, Red. Cloud; Elisha Yookins,

Oconto. Pensions granted to lowans: Lewis Ruty, Pensions granted to Iowans: Lewis Ruty, Dodgeville; Irwin Forbes, Newton; Harrison W. Singworth, Anamosa; William Coulter, Farmington; Samuel F, Orr, Allerton; Benjamin F, Smith, Eagle Grove; George W. Weims, Adel; William W. Leavitt, Decorab; Joseph Ineck, Chelsea; John W. Shaw, Cincinnali; Caroden O. Hewitt, Lamont; James A. Martin, Redheld; George B. Bouck, Waterloo; Henry Day, Hamilton; William S, Nicholson, Mellville; Stephen James, Winterset.

Winterset. Secretary Lamar to-day disallowed the claim of P. J. Lonergan, of Keith county, Neb., for 8829 on account of Sioux Indian raids in 1875. There was not sufficient evidence to establish claim.

Jordan to Retire.

WASHINGTON, Jan. 28.—C. N. Jordan, treasurer of the United States, will relinquish his office May 1st, in order to accept avoitice, probably the presidency of the West tern National bank, of New York.